IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE CIVIL JURISDICTION

WRIT PETITION NO.4690 OF 2004

The Deputy Conservator of Forests)
Pune Forest Division, Pune and others).. Petitioners

Versus

Kisan T.Choudhary and another).. Respondents

Mr.N.P.Deshpande, Assistant Government Pleader, for the Petitioners.
None present for the Respondents.

CORAM: SMT.NISHITA MHATRE, J.

DATED: 9TH AUGUST 2004

P.C.:

. The order challenged by this Writ Petition is dated 8th October 1996 passed by the Industrial Court, Pune in Complaint (ULP) No.71 of 1994. The Petition has been filed on 29th September 2003. There is no explanation whatsoever in the Petition as to why there has been a delay of over seven years in filing the Writ Petition. Mr.Deshpande for the Petitioners states that the proposal was sent by the first Petitioner to the State Government in the year 2000 to absorb the seven workmen concerned in the Complaint as permanent workmen. Out of the seven workmen, five workmen have already been absorbed. Submission of the proposal in the year 2000 itself is delayed for over four years.

2. Mr.Deshpande submits that some indulgence should be shown to the Petitioners to comply with the order of the Industrial Court as they have sought to implement the order after submitting the proposal.

3. I see no reason for showing any indulgence whatsoever to the Petitioners. There is unreasonble delay of over seven years since the order of the Industrial Court was passed. The Industrial Court had directed the Petitioners to make all the Complainants permanent with effect from 1st November 1994 and to provide them all the consequential benefits arising out of permanency. The arrears were to be paid to the Complainants within two months of the order. The Petitioners have neither paid the arrears nor have they made the workmen concerned permanent as directed by the Industrial Court. Only because of the plea of Mr.Deshpande that some indulgence be shown to the Petitioners, the Petitioners are directed to comply with the order of the Industrial Court within four weeks from today. Writ Petition rejected.

4. Parties to act on an authenticated copy of this order.